

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

NED SPRAGLING, et al.)	CASE NO.
)	
Plaintiffs,)	JUDGE
)	
v.)	<u>NOTICE OF REMOVAL FROM THE</u>
)	<u>SUMMIT COUNTY COURT OF</u>
7-ELEVEN, INC., et al.,)	<u>COMMON PLEAS</u>
)	
Defendants.)	
)	

Defendant, 7-Eleven, Inc., hereby gives notice of removal of an action captioned Ned Spragling, et al. v. 7-Eleven, Inc. et al., Case No. CV-2020-03-0940 filed in the Summit County Common Pleas Court. The grounds for removal are as follows:

1. 7-Eleven, Inc. is named as the Defendant in an action styled Ned Spragling, et al. v. 7-Eleven, Inc. et al. pending in the Court of Common Pleas, Summit County, Ohio, Case No. CV-2020-03-0940.

2. 7-Eleven, Inc. is a Texas corporation, with its principle place of business in Irving, Texas.

4. The lawsuit was commenced on or about March 25, 2022. Less than thirty (30) days has passed since the defendant has received a copy of the Summons and Complaint.

5. Plaintiffs Ned Spragling and Dawn Spragling reside at 1800 West Waterford Court, Akron, Ohio 44313.

6. This action is removable to this Court pursuant to 28 U.S.C. §1441(a) in that this action is one over which this Court has original jurisdiction pursuant to 28 U.S.C. §1332(a) as follows:

- a. The matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs;

- b. The Plaintiffs were at all relevant times citizens of the State of Ohio, while the Defendant is and was at all relevant times a citizen of the State of Texas; and
- c. The petition is filed within thirty (30) days after receipt of process by the Defendant as required by 28 U.S.C. §1446(b).

7. Written notice of the filing of this Notice of Removal, together with a copy of the Notice of Removal, will be promptly given to Plaintiffs and filed with the Clerk of the Common Pleas Court, Summit County, Ohio, as required by 28 U.S.C. §1446(d).

8. A copy of the Summons and Complaint, instructions for service and the Summit County Common Pleas court docket, are attached hereto as Exhibits A1, A2 and A3.

Respectfully submitted,

MARSHALL DENNEHEY WARNER
COLEMAN & GOGGIN

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Counsel for Defendant 7-Eleven, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded to all
counsel of record by U.S. First Class Mail, Postage Prepaid to:

Robert C. Meeker, Esq.
BLAKEMORE, MEEKER & BOWLER CO., LPA
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Counsel for Plaintiffs

MARSHALL, DENNEHEY, WARNER,
COLEMAN & GOGGIN

By: /s/ Vincent E. Cononico
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Counsel for Defendant 7-Eleven, Inc.

Date: May 4, 2022